

Docket No.: 50229-436

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Customer Number: 20277

Craig JORDAN : Confirmation Number:

Serial No.: Continuation of Appl. No.  
09/799,100 : Group Art Unit:

Filed: April 23, 2004 : Examiner:

For: METHODS TO IMPAIR HEMATOLOGIC CANCER PROGENITOR CELLS AND  
COMPOUNDS RELATED THERETO

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Information Disclosure  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached form PTO-1449. It is respectfully requested that the references be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No certification or fee is required.

The references were cited by or submitted to the U.S. Patent and Trademark Office in parent application Serial No. 09/799,100, filed March 6, 2001, which is relied upon for an earlier

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filing date under 35 USC 120. Thus, copies of these references are not attached. 37 CFR 1.98(d).

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT, WILL & EMERY

A handwritten signature in black ink, appearing to read "Kelli N. Watson", followed by a horizontal line.

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**Date: April 23, 2004**

<b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>  <b>(PTO-1449)</b>				ATTY. DOCKET NO. <b>50229-436</b>		SERIAL NO. <b>Continuation of Appl. No. 09/799,100</b>	
				APPLICANT <b>Craig JORDAN</b>			
				FILING DATE <b>April 23, 2004</b>		GROUP	
<b>U.S. PATENT DOCUMENTS</b>							
EXAMINER'S INITIALS	CITE NO.	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
		US 5,489,516	02/06/1996	Broudy et al.			
		US					
		US					
		US					
<b>FOREIGN PATENT DOCUMENTS</b>							
EXAMINER'S INITIALS	CITE NO.	Foreign Patent Document Country Codes - Number - Kind Codes (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Figures Appear	Translation	
						Yes	No
		WO 97 24373 A	07/10/1997	MEDVET SCIENCY PYT. LTD.			
<b>OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							
EXAMINER'S INITIALS	CITE NO.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.					
		Q. Sun et al.: "Monoclonal antibody 7G3 Recognizes the N-Terminal Domain of the Human Interleukin-3 (IL-3) Receptor Alpha-Chain and Functions as a Specific IL-3 receptor Antagonist." <u>Blood</u> , vol. 87, no. 1, 1 January 1996 (1996-01-01), pages 83-92, XP002105606.					
		C. Jordan et al.: "The Interleukin-3 Receptor alpha Chain is Highly Expressed On Primitive Acute Myelogenous Leukemia." <u>Blood</u> , vol. 94, no. 10 suppl. 1 (part 1 of 2), 15 November 1999 (1999-11-15), page 67a XP002174823.					
		C. Chan et al.: "Reactivity of Murine Cytokine Fusion Toxin, Diptheria Toxin390-Murine Interleukin-3 (DT-390-Mil-3), With Bone Marrow Progenitor Cells." <u>Blood</u> , vol. 88, no. 4, 15 August 1996 (1996-08-15), pages 1445-1456, XP000611395.					
		K. Koubek et al.: "Occurrence of Cytokine Receptors On Different Lymphoid Leukaemic Cells." <u>European Journal of Haematology</u> , vol. 63, no. 1, July 1999 (1999-07), pages 1-10, XP001015741.					
		D. Tweardy et al.: "Modulation of Myeloid Proliferation And Differentiation By Monoclonal Antibodies Directed Against A Protein That Interacts With The Interleukin-3 Receptor." <u>Blood</u> , vol. 80, no. 2, 15 July 1992 (1992-07-15), pages 359-366, XP001015735.					
EXAMINER				DATE CONSIDERED			

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.